



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMS:GSM
F. #2021R00235

*271 Cadman Plaza East
Brooklyn, New York 11201*

February 11, 2022

By ECF and Email

Allegra Glashausser
Federal Defenders of New York
One Pierrepont Plaza, 16th Floor
Brooklyn, NY 11201

Re: United States v. Ibn Cheatham
Criminal Docket No. 21-422 (EK)

Dear Counsel:

The government encloses additional discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure and also includes below certain responses to the defendant's letter, dated January 11, 2022, requesting discovery materials. See ECF No. 23. The discovery materials can be accessed via USAfx. Please note that this production includes materials that are considered Sensitive Discovery Material ("SDM") as that term is defined in the August 26, 2021 Protective Order in this matter. See 21-CR-422 (EK), ECF No. 12.

In addition, the government renews its request for reciprocal discovery from the defendant, specifically with respect to any interview notes, photographs and other materials related to a December 16, 2021 home visit and interview of the victim by an investigator employed by the Federal Defenders of New York.

The government is producing the following materials, many of which are additionally responsive to the defendant's January 11, 2022 letter:

- New York City Police Department ("NYPD") Event Detail Report, Bates-numbered SDM_IC004851-SDM_IC004853;

- Photographs of:
 - John Doe's home, taken in February 2021, Bates-numbered SDM_IC004854-SDM_IC004857;
 - John Doe's injuries following medical treatment, Bates-numbered SDM_IC004858-SDM_IC004859;
 - The defendant, Bates-numbered IC004860;
 - A CashApp transaction with the defendant, Bates-numbered SDM_IC004861;
 - An ATM transaction for John Doe's account, Bates-numbered SDM_IC004862;
 - Hospital discharge instructions for John Doe, Bates-numbered SDM_IC004863-SDM_IC004865;
- NYPD I-Card dated February 14, 2021, Bates-numbered SDM_IC004866-SDM_IC004867;
- NYPD Property Clerk Invoice for the firearm that was seized from the defendant on February 25, 2021, Bates-numbered IC004868-IC004869; and
- Receipt for Property and NYPD Laboratory Report for the firearm and ammunition that were seized from the defendant on February 25, 2021, Bates-numbered IC004870-IC004871.

The government further discloses that the defendant made the following statements, in sum and substance and in part:

- In or about January 2021, before engaging in a drug transaction, the defendant asked John Doe what John Doe wanted to purchase and also indicated the price for the drugs the defendant was selling (i.e., heroin and Xanax). After the transaction, the defendant provided his phone number, ending in 2091, to John Doe.

The government previously disclosed other statements made by the defendant in discovery productions provided on September 10, 2021 and September 24, 2021. See, e.g., IC000001-17, IC000053-123, IC003753, SDM_IC003604-3609, IC003760, IC003780; see also Gov't Detention Memo, ECF No. 5.

Regarding certain other of the defendant's requests, responsive discovery was produced and Bates-numbered IC004850 (Cellebrite report); IC000010-IC000017 (report

regarding defendant's February 25, 2021 arrest by the Montclair Police Department); and IC000018-IC000052 (defendant's criminal history).

Relatedly, the government confirms that it is aware of, and will comply with, its discovery obligations pursuant to Rule 16 of the Federal Rules of Criminal Procedure, Brady v. Maryland, 373 U.S. 83 (1963), Giglio v. United States, 405 U.S. 150 (1972), and the Jencks Act, Title 18, United States Code, Section 3500. As also noted in the government's September 10, 2021 discovery letter, the government will furnish materials discoverable pursuant to 18 U.S.C. § 3500, as well as impeachment materials, at the appropriate time before trial.

Very truly yours,

BREON PEACE
United States Attorney
Eastern District of New York

By: /s/ Garen S. Marshall
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cc: Clerk of the Court (EK) (by ECF)